

Paper No. 1693
Disposes of
Paper No. 1676

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al) ORDER
-vs-) GRANTING APPLICATION
ARAKI, Sadao, et al) TO WITHDRAW EXHIBITS
) NOS. 2771, 2772, 2774,
) 2777, 2778, 2780, 2781,
) 2795 AND 2796 FOR
) IDENTIFICATION ONLY,
) AND DENYING APPLICATION
) TO WITHDRAW EXHIBITS
) NOS. 2413, 2785 AND 2794
) FROM THE FILES OF
) THE TRIBUNAL

This matter coming on to be heard this 15th day of April, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of William Logan, Jr., one of counsel for the Defense in the above entitled cause, for leave to withdraw from the files of the Tribunal certain documents, to wit: Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2785, 2794, 2795, 2796 and 2413, said documents being described in said application which is Paper No. 1676 as "Stenographic Records of the Proceedings of the Japanese Diets and offered for Identification Only", for the purpose of returning them to the Tokyo Bar Association Library, the source from which they were obtained, and the Tribunal having heard the statements and arguments of counsel for the Defense in support of said application, and of the Prosecution in opposition thereto, and being fully advised in the premises, and

It appearing to the Tribunal that said Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2795 and 2796 were offered and marked for Identification Only, and that said Exhibits Nos. 2413, 2785 and 2794 were offered, admitted, and are in

evidence; and it

Further appearing that said Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2795 and 2796, all for Identification Only, have served their purpose and that no substantial injustice will result to either the Prosecution, the Accused, or any of them, from the withdrawal of said documents and the return therof to the Tokyo Bar Association Library, the source from which they were obtained; and it

Further appearing that excerpts from said Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2795, and 2796, all for Identification Only, were offered, admitted and are in evidence as Exhibits Nos. 2771-A, 2771-B, 2771-C, 2772-A, 2774-A, 2774-B, 2777-A, 2777-B, 2778-A, 2780-A, 2780-B, 2780-C, 2781-A, 2795-A, 2796-A and 2796-B, it is

ORDERED: That said application for the withdrawal of Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2795 and 2796, all for Identification Only, be and it hereby is granted, and that said exhibits for identification only be withdrawn from the files of the Tribunal forthwith and be delivered to counsel for the Defense, to be returned to the source from which they were obtained, upon the express term and condition, however, that they be returned to the Clerk of the Tribunal immediately upon notice being given that they are required by the Tribunal, the Prosecution or the Defense, for the purposes of this trial; and it is further

ORDERED: That said application for the withdrawal from the files of the Tribunal of Exhibits Nos. 2413, 2785 and 2794 be and it hereby is denied; and it is further

ORDERED: That any and all excerpts or parts of Exhibits for Identification Only herein ordered withdrawn and returned, which excerpts have been received and are in evidence in the case and marked as exhibits, shall remain in the files of the Tribunal and their status shall in no way be affected by this order.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT